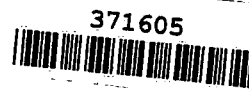


STATE OF NEW YORK
CITY COURT: COUNTY OF ERIE



STATE OF NEW YORK,

Plaintiff,

AMENDED ORDER TO VACATE

v.

Docket Nos. H01723/99
H00875/04
H00876/04

WILLIAM P. KRAUS, JR.,

Defendant.

Upon the Information, inspection reports and all prior proceedings herein, including information provided to the Court on July 2, 2004 and August 4, 2004, it is hereby

ORDERED, that the building(s) on Defendant's property at 308 Crowley Street in Buffalo, New York, shall be vacated by **September 1, 2004**, and boarded so as to prevent any entry into such property, until further order of this Court; and it is further

ORDERED, that any individual found inside the building(s) at the subject premises after **September 1, 2004** may be forcibly removed from the premises by the BUFFALO POLICE DEPARTMENT; and it is further

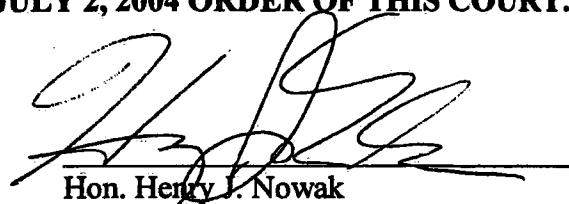
ORDERED, that after **September 1, 2004**, the BUFFALO POLICE DEPARTMENT may use any and all means necessary to remove any individuals from the subject premises, including but not limited to breaking down doors or other barriers in order to gain access to the premises; and it is further

ORDERED, that at the time of the initial vacating and boarding of the subject premises, the City of Buffalo provide each individual removed from the premises with a copy of this Order, and it is further

ORDERED, that at the time of the initial vacating and boarding of the subject premises, the City of Buffalo shall post at every entrance a copy of this Order, along with a separate notice stating, **"ORDER TO VACATE – IF YOU ARE FOUND ON THIS PROPERTY OR ATTEMPT TO ACCESS THIS BUILDING, YOU MAY BE REMOVED IMMEDIATELY BY THE BUFFALO POLICE DEPARTMENT, ARRESTED AND CHARGED WITH CRIMINAL CONTEMPT IN THE SECOND DEGREE IN VIOLATION OF PENAL LAW § 215.50(3), WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO ONE YEAR AND/OR A \$1,000 FINE"**; and it is further

ORDERED, that any individual subsequently found inside the building(s) at such property, or removing or attempting to remove any boards covering any doors, windows, or other means of ingress or egress into such building(s), may be charged with criminal contempt in the second degree in violation of Penal Law § 215.50(3), by resisting this mandate of the court.

THIS ORDER SUPERCEDES THE JULY 2, 2004 ORDER OF THIS COURT.



Hon. Henry J. Nowak

ENTER:

AUG 04 2004